

## MEETING #38 – December 6

At a Joint Meeting of the Madison County Board of Supervisors and the Madison County Planning Commission on December 6, 2017 at 7:00 p.m. in the Madison County Administrative Center Auditorium located at 414 N. Main Street:

PRESENT: R. Clay Jackson, Chairman  
 Jonathon Weakley, Vice-Chairman  
 Robert Campbell, Member  
 Kevin McGhee, Member  
 Charlotte Hoffman, Member  
 Jack Hobbs, County Administrator  
 [REDACTED]  
*Clarissa Berry, Interim County Attorney*  
 Betty Grayson, Zoning Administrator

ABSENT: *V. R. Shackelford, III, County Attorney*

### Planning Commission:

Call to Order

Mr. Yowell advised that tonight's session will involve a public hearing on amendments to County ordinances.

### Pledge of Allegiance & Moment of Silence

#### 1. Determination of a Quorum

Mr. Yowell, Commission Chair, noted that a Quorum was present.

#### 2. Approval of Minutes

The minutes of the November 1, 2017 meeting were approved as presented.

#### 3. Action Items:

Mr. Yowell provided an overview of tonight's meeting process; representatives were asked to approach the podium to provide their name and any information pertinent to tonight's case; questions will be entertained by the Commission members, the public, and then the case will be recommended onto the Madison County Board of Supervisors either for approval, denial or tabling. In closing, he asked that applicants remain for the Madison County Board of Supervisors portion of tonight's meeting. All those wishing to speak were asked to limit all comments to three (3) minutes. All of tonight's cases have been extensively researched during the recent workshop session.

64-10, 64-6, 64-6A & 64-6E a. Case No. S-12-17-24: Request by George E. Walrond; Walrond Family Trust; Richard W. Walrond, IV & Veronica Mederois Walrond; and Ruth W. Sisman for a subdivision plat showing a new 50-foot access easement at the end of state maintenance on Route 712 (Buggy Lane) and three (3) boundary adjustments. The 50-foot right-of-way will serve tax map numbers 64-10 (George W. Walrond), 64-6 (Walrond Family Trust), 64-6A (Richard W. Walrond, IV & Veronica Mederois Walrond) and 64-6E (Ruth W. Sisman). These properties are located off Route 712 (Buggy Lane) near Uno, zoned A-1. A final has been approved by VDOT, as of October 6, 2017; no new lots are being created; plat shows the existing right-of-way and new fifty-foot access easement at the end of state maintenance off Route 712 (Buggy Lane).

*\*Mike Fisher, Commission member, recused himself\**

Brian Ray, Surveyor, was present and provided a plat that was utilized to perform the proposed survey work. He noted that the project

*will address some boundaries, create a small access to parcels, and will reduce the number of parcels noted. Reference was also made to the end of state maintenance (noted on the existing plat), and the small area that will be affected by tonight's request.*

*Mr. Yowell, Chair, opened the floor for questions/comments from the Commission and the public.*

*After discussion, the Madison County Planning Commission moved that Case No. S-12-17-24 be recommended to the Madison County Board of Supervisors for approval.*

40-77

*b. Case No. Z-12-17-25: Request by W.J. Carpenter Co., Inc. for a rezoning application to delete the proffers that were attached to the Conditional Rezoning approved on May 4, 2011. If approved, there would be no proffers attached to this application, it would be straight Business, B-1 zoning. This property is located at 2868 N. Seminole Trail (Route 29 Northbound Lane) and contains 11.489 acres of land at Brightwood, zoned Conditional Business, B-1.*

**\*Pete Elliott, Commission member, recused himself\***

Mr. Yowell, Chair, advised that this particular case was discussed at length during the last workshop session.

William "Bill" Jordan was present to answer any questions pertaining to tonight's request.

Mr. Yowell, Chair, referred to proffers for the property that were initiated in 2011 for VDOT signage at the property, to which, Mr. Jordan advised was a condition that was recommended. Correspondence was received from VDOT on this particular matter as discussed during the recent workshop session. He also advised that VDOT has concluded that requesting a message sign at the location was causing more problems than necessary.

Mr. Yowell, Chair, opened the floor for comments/questions from the Commission and the public.

After discussion, the Madison County Planning Commission moved that Case No. Z-12-17-25 be recommended to the Madison County Board of Supervisors for approval, specifying the rezoning application.

**\*The Madison County Planning Commission recessed to allow the Madison County Board of Supervisors to vote on tonight's cases\***

#### 4. Public Hearing on 2017 Comprehensive Plan:

Mr. Yowell, Chair, called for the Madison County Planning Commission to reconvene and moved into the public hearing on the 2017 Comprehensive Plan and explained that:

- ✚ The public is invited to comment on the comprehensive plan
- ✚ The Madison County Planning Commission will not engage in any questions from the public
- ✚ All comments will be limited to no more than five (5) minutes

Once the public hearing is complete, the Madison County Planning Commission will have the opportunity to:

- ✚ Discuss concerns
- ✚ Make recommendations for any changes (by motion), or move to table (until changes can be made), or recommend the draft plan to the Madison County Board of Supervisors as presented and/or modified

In closing, it clarified that:

- ✚ The Madison County Planning Commission is an 'advisory Board' only; and that:
- ✚ The Madison County Board of Supervisors establishes the policy
- ✚ There will be no dispute of the finalized decision made by the Madison County Board of Supervisors

The public was invited to stay for the finalization of tonight's public hearing process.

The floor was open for public comments. With no public comments being brought forth, the session was closed.

Mr. Yowell, Chair, called for comments from the Madison County Planning Commission. He further advised that the discussion the timeline (January 2018) with the County Attorney and was told that the Commission wasn't in violation due to work being initiated on the document in 2017.

Comments from the Commission:

- Mike Mosko: Suggested an amount be added (page 20) for Median Household Income (in \$\$) & add 'cents' for real estate income and property tax rates per \$100 of Assessment (page 21)

After discussion, the Madison County Planning Commission moved to recommend the Draft 2017 Comprehensive Plan to the Madison County Board of Supervisors.

Comments from the Commission:

- Pete Elliott: Advised non-support of the recommendation by the Madison County Planning Commission
- Faye Utz: Advised of a typographical error on page 28 [Item #3 ('4-in-10 Rule" – should be noted as "4-in-10 Rule")]

Mr. Yowell, Chair, advised that there are no cases for the January 3, 2018 Joint Meeting. The Madison County Planning Commission still needs to provide input to the Madison County Board of Supervisors concerning Health Department and VDOT approvals on cases. Research has been done on the Solar Energy Ordinance (document was tabled in November 2017). Discussions also need to be held regarding whether the Madison County Planning Commission should always have a representative at each of the Madison County Board of Supervisors' meetings. A nominating committee will also need to be established for Commission Chair and Vice-Chair at the January 2018 Joint Meeting.

After discussion, it was the consensus of the Madison County Planning Commission to move forward with scheduling a December workshop on December 20, 2017 at 7:00 p.m. The next Joint Meeting with the Madison County Board of Supervisors will be held in February 2018.

## 5. Adjournment:

With no further action being required, Mr. Yowell, Chair, adjourned the Madison County Planning Commission's portion of tonight's session.

## Board of Supervisors

Call to Order

*\*Chairman Jackson called the Madison County Board of Supervisors to order\**

### 1. Determine Presence of a Quorum

Chairman Jackson advised that a quorum was present.

### 2. Adoption of Agenda

Supervisor Weakley moved that the Board approve the Agenda as presented, seconded by Supervisor Hoffman. *Aye: Jackson, Weakley, Campbell, McGhee, Hoffman. Nay: (0).*

### 3. Action Items:

64-10, 64-6, 64-6A & 64-6E a. Case No. S-12-17-24: Request by George E. Walrond; Walrond Family Trust; Richard W. Walrond, IV & Veronica Mederois Walrond; and Ruth W. Sisman for a subdivision plat.....

Chairman Jackson called for questions/comments from the Board and the public.

Supervisor Campbell moved that the Board approve Case S-11-17-24 as recommended by the Madison County Planning Commission, seconded by Supervisor McGhee. *Aye: Jackson, Weakley, Campbell, McGhee, Hoffman. Nay: (0).*

40-77

b. Case No. Z-12-17-25: Request by W.J. Carpenter Co., Inc., for a rezoning application.....

*Supervisor Campbell questioned if he should recuse himself (i.e. conflict of interest) due to having performed work in the past for the applicant*

Clarissa Berry, Commonwealth Attorney, advised that based on the State's conflict of interest, such requests must be presented to her in writing (i.e. not verbally).

**\*Supervisor Campbell recused himself\***

William "Bill" Jordan was present to answer any questions pertaining to tonight's request.

Chairman Jackson called from questions/comments from the Board and the public.

Supervisor McGhee moved that the Board approve Case No. Z-12-17-25 as recommended by the Madison County Planning Commission, seconded by Supervisor Weakley. *Aye: Jackson, Weakley, McGhee, Hoffman. Nay: (0).*

*\*The Madison County Planning Commission returned to order\**

#### 4. Public Hearing:

**a. 2017 Comprehensive Plan:** Chairman Jackson called the public hearing on the 2017 Comprehensive Plan. The floor was opened for public comment. With no comments being brought forth, the floor was open to the Board.

Supervisor Campbell: Expressed and honor and privilege to meet with the Planning Commission during his term; noted that this intent was to provide constructive criticism

Chairman Jackson opened the public hearing for input on the Draft 2017 Comprehensive Plan. With no input being provided from the public, the floor was opened to the Board of Supervisors.

- Supervisor Campbell: Feels the draft plan is contradictive and isn't a good fit for Madison County; noted that (in his opinion), the comp plan is to be a working document to contain working goals and directions for the County to move forward within a five-year period (with a deadline of January 1st annually); suggested the plan be upgrades as time progresses over a five-period with upgrades being added on a gradual basis; verbalized non-support of tonight's draft proposal; suggested work be done on solar energy; questioned the amount of acres and parcels (in the County) are in M1 and M2 zones; referred to some County properties that are actually agriculture but are zoned M1 or M2 instead of A-1; referred to Goal 1 [Creation of County staff position for a professional planner]; encouraged citizens to get involved with serving on various community boards/committees.
- Supervisor McGhee: Referred to:
  - ✚ Item 5 (Financial Date): Feels the information provided could be a bit discouraging; also referred to taxable sales, local revenues, expenditures, (page 19, 21 and 22); suggested an update be done on financial numbers, land use districting (by zones)
  - ✚ Goal 1 [Creation of County staff position for a professional planner, Deputy Planner, County Planner]: Questioned if recommendations are made by the Zoning Administrator in other localities
  - ✚ Goal 2 [Identify & develop public access areas]: Noted that some folks do not wish to 'share their land'; feels that investing in a swimming pools will be very costly (i.e. building, upkeep); suggesting there be more a proactive approach to address median household incomes
- Supervisor Hoffman: Appreciative of the effort provided by the Commission; feels the draft plan contains very good ideas; feels there are some items that still need some tweaking:
  - ✚ Page 26 (Public Utilities) regarding a sewage plant in Madison: Doesn't believe the plant can be expanded (no additional EDUS can be added); once the maximum has been reached, a new plant will need to be built
  - ✚ Page 27 (Item 8): Verbalized disfavor of increase lot size to five (5) acres; feels this will place a burden on younger citizens that may wish to purchase land in the future (i.e. Rappahannock County requires 25 acre lots)
  - ✚ Page 28 (Goal 2) SNP: Doesn't feel the park should be involved in County zoning; feels the park is not as good a neighbor as some would think; disfavor of promoting 'dark skies'
  - ✚ Goal 3 – Item 1: Changing name of existing IDA to the Economic Development Authority: Doesn't see a need to change

the name; feels the County needs to become more proactive with the current Tourism Director and Economic Development process

- ✚ Goal 3 – Item 6: Consider County businesses/industries to obtain license fee or tax; feels local businesses are taxed enough already; suggested a survey of local business would yield that all are opposed to additional taxing
- ✚ Goal 5 – Item 2: Work with RSA to ensure reasonable and equitable treatment of Madison businesses and residences: Questioned why existing treatment not equitable

Mr. Yowell, Chair, noted that Commission discussion on the aforementioned item was based on available EDU's, who holds them and for what reason.

- Supervisor Hoffman: Noted that:
  - ✚ EDU's were bought a while ago and that the County has EDU's that may be needed in the future for a new school system; noted that the County can't afford to fund a new septic system in order to build a school. EDU's owned by others can't be purchased and can only be returned to the RSA and they will sell them to whomever is next in line for a purchase.
  - ✚ Goal 6 (Recreational Facility [to include a swimming pool]): The property in question was bought with the idea that a school may be needed in the future; suggested the County be care in what's suggested to be on the property in the future
- Supervisor Weakley: Thanked the Commission for their time and effort. Concerns focused on:
  - ✚ Item 2 Employers (page 17): Employers: Highlight on economic factors [list of top five employers]; MWP didn't come in the top 5
  - ✚ Item 3 Businesses (page 17): Referred to percentage breakdown; questioned if there would be a benefit to mention certain local businesses (i.e. wineries, treated lumber)

Phil Brockman, Commission member, noted that individuals would more than likely contact Economic Development; pertinent information was omitted due to the fact there may have been an oversight in mentioning specifics for a particular business

- ✚ Page 6 – Public Utilities [page 26]: Internet Services: Questioned if there would be a reason to necessitate the mention of the Broadband Committee or efforts for broadband under telecommunications and schools
- ✚ Wording for Goal 2 - #8 (page 30): Promote and, to the extent lawful and feasible, incentivize the development of tourist/visitor-friendly businesses, including, for example overnight accommodation
- ✚ Typo under Goal 3 (page 30): Item three "Support" (Should be 'support')
- ✚ Agreed with comments made by Supervisor Hoffman regarding business licensure (Goal 3 Item 6 [page 31] and comments regarding RSA (Goal 5 Item 2 [page 31])
- ✚ Goal 6 Item 6 (page 32): Appreciates organizations listed; questioned if putting 'continue and expand support'; referred to the fact that the Board has to consider each entity listed during the budgetary process which sometimes leads to unfavorable decisions pertaining to funding; suggested perhaps wording say 'continue to support' or 'continue the support' for non-profit organizations (item is budget related)

Mr. Yowell, Chair, advised that the Commission was using "to support" throughout the draft document because it was the intent that the support be 'in general' and not necessarily 'monetary' only.

- Chairman Jackson:
  - ✚ Goal 1 – Item 1 (page 28 – Professional Planner): This suggestion has been brought forth numerous times; feels this is something the County may get to in the future
  - ✚ Goal 1 – Item 8 (page 28 – Increase Lot size): Suggested an extensive public hearing be held before any proposed changes to the Zoning Ordinance
  - ✚ Goal 2 – Item 6 & 7 (page 29): Hiking/equestrian trails and identify/develop public access areas along selected streams in cooperation with private landowners.....
  - ✚ Goal 2 – Item 11 (page 30): Upgrades to Madison County Visitor's Center: Feels the current center is fairly nice; feels that continued enhancement is all a part of business growth; suggested satellite visitor center endeavor (similar to what the Historical Society is planning at Criglersville) be researched during the peak visitor's season

- ✚ Goal 3 – Item 5 (page 31 – Business License): Expressed a concern why local government would need to what's going on in local business; feels this is a private sector; verbalized disfavor of paying additional taxes

Danny Crigler, Commission member, advised that it was the intent to discover how many businesses are operating within the locality.

- ✚ Goal 4 (page 31): Questioned the gigabyte level in the next five (5) years; suggested no amount be incorporated (i.e. private sector matter); suggested the County can act as a facilitator only

Goal 5 – Item 1 (page 31 - Pros/cons of investing in a sewage treatment plant): Noted that RSA has a site for a proposed future plan; existing plant can't be expanded; There is enough space for the EDU's that are still 'outstanding'; feels that business in the County does fine with resolving any sewage concerns

Goal 6 – Item 3 (page 32 – Swimming pool, tennis courts): Advised that the tennis courts were torn down and a hockey rink was installed; questioned if tennis is returning; verbalized favor of having a recreational facility and a swimming pool, but doesn't feel this will transpire anytime soon, as both come with extensive costs; raising taxes to accommodate building a recreation center would not be favorable of local citizens

Goal 7 – VDOT: Discussions focused on park and ride; questioned how the County can facilitate this measure without working with VDOT; there are a few preferable locations at this point that are used for this purpose

Goal 7 – Item 5 (page 33): Focus on business fish friendly crossings on designated trout streams

Goal 8 – Item 1: Establish a Madison County Housing Authority (elderly housing): There have been discussions about the need for low-income housing which is a major problem here; prior discussions focused on putting in a zone for low-income housing; numbers were run on this matter and it's something that's needed; encouraging the endeavor may become economically cumbersome for many citizens; the taxes for this type of endeavor is usually not more than the funding that is required to implement this type of process

#### Additional comments:

- Peter Work: Advised that the Commission agreed that the comprehensive plan has been written in a way that issues can be raised for exploration during the next five (5) years; each goal has examples listed (i.e. swimming pools, tennis courts). The intention (on the part of the Commission) isn't to request that particular items be implemented, but that the feasibility of such be explored. In closing, he noted that the Commission needs individuals (or a group of individuals) to explore ideas and make recommendations to the Commission and Board of Supervisors so plans can be assessed and/or initiated; noted that the Board of Supervisors isn't an 'implementation' Board; feels that Hoover ridge should be on a contributory basis (i.e. funding provided by the citizens); \$5.00 fee noted in the draft plan is considered to be a 'nominal fee' and not a tax
- Supervisor Campbell: Advised that his comments were based on personal knowledge/involvement with the County; referred to previous BPOL tax (as suggested by the Finance Committee) and the passing of a business license fee, which was later rescinded; suggested the County initiate ways to welcome citizens to Madison County; referred to the fact that taxpayers funded the filling of the old swimming pool and the installation of the ice hockey rink; noted that the acreage change (from 4 to 10) has been approved in various locations within the State and hasn't been challenged by the courts (doesn't feel the Commission and/or the County can't stop anyone from selling an acre of their own land)
- Pete Elliott: Referred to the fact that the comp plan is a 'guide'; feels that if the County Attorney has to defend the County, guidelines need to be included in the plan
- Mike Fisher: Referred to page 21 that refers to the fact that 'real property taxes are the predominate source of revenue in Madison County, followed by personal property taxes'; agreed with several comments made, and feels the County and school system have too many employees; also referred to the amount of lots in the County that can be built on; feels that results that can be achieved by a County Planner on a long-term basis; feels that it will take additional businesses to build the County – the County doesn't know exactly what businesses are operating at this point; feels it would be an advantage to work to get the personal property tax percentage (70%) decreased
- Carlton Yowell: Advised that the old comp plan was very 'wordy'; about 85% of the contents of tonight's draft document was derived from the old comp plan and has been reworded; encouraged the Board and Commission members to read through the document
- George Beach: Questioned if anyone was against the goal to preserve and protect the County, schools, and agricultural environment; feels the aforementioned are the vision for the County overall; also noted that the goal of a County Planner will be to bring together citizens; goals can't be achieved without a lot of discussion and effort; feels the County has much to work with



- Chairman Jackson: Advised that the Board of Supervisors is an 'implementation body' (approval of items are implemented by staff); agreed with the idea of having a County Planning in place in the future; feels the best part of the County is that the citizens will let the Board know when they desire something, and doesn't feel that having a County Planner in place will change this factor; noted his primary concern is for Madisonians only; the County is a member of PD9; reports noted that the County has positive marketability; surrounding localities that are inducing businesses is a result of: 1) having a very large employment workforce; and 2) providing tax incentives; the County provided a tax incentive to Plow & Hearth during their expansion which wasn't well received by the citizens; appreciates the broad scope of the draft comp plan, which (in his opinion) is a living document; the goals to preserve what we have is good; noted that 'support' doesn't completely involve 'funding'; suggested the Board of Supervisors develop a list of concerns to include rationale and pass these concerns onto the Madison County Planning Commission for review during the Commission's December workshop session

It was further noted that no action will be required by the Board at tonight's session, but that there is a time frame involved.

- Supervisor Campbell: Suggested the Madison County Planning Commission and the Madison County Board of Supervisors schedule 2-2 work sessions thoroughly discuss the draft document and develop common ideas/suggestions; disagreed with the idea that the draft document contains goals/suggestions, and noted County documents should have words that have meaning, are achievable, and promote something to when moving forward that the County's comp plan and ordinances are made up of words that should have meaning

Clarissa Berry, Commonwealth Attorney, was present and advised that the Board has three (3) options:

- ✓ Approve/adopt the Draft 2017 Comprehensive Plan
- ✓ Amend and Adopt
- ✓ Disapprove and send it back to the Madison County Planning Commission with a written statement of reasons for disapproval

Supervisor Campbell moved that the Board of Supervisors reject the document and send it back to the Planning Commission as disapproved *'because it's way too ambiguous in its current form'*

The Commonwealth Attorney clarified that a written statement needs to be included which suggests the Board's intent to summarize concerns as stated.

*Motion died for the lack of a second.*

The Commonwealth Attorney further advised that if no action is taken tonight, the document stays at the Board level, and can be amended at by the Board; the Board has ninety (90) days to act on the proposed document.

Supervisor Hoffman moved that the Board table any action on the Draft 2017 Comprehensive Plan until the December Regular Meeting #1 (12'12'17), seconded by Supervisor McGhee.

#### **Discussion:**

- Supervisor Weakley: Questioned if tabling action will take care of what the Commission needs from the Board
- Chairman Jackson: Advised that the Board members will need to provide comments to the County Administrator; action can be taken at the next Board meeting regarding the plan

*Aye: Jackson, Weakley, Weakley, Campbell, McGhee, Hoffman. Nay: (0)*

#### **5. Information/Correspondence (if any)**

#### **6. Closed Session (if necessary)**

#### **7. Adjournment**

With no further action being required, on motion of Supervisor Campbell, seconded by Supervisor Weakley, Chairman Jackson adjourned the meeting.

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R. Clay Jackson, Chairman

## Madison County Board of Supervisors

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Clark of the Board of the Madison County Board of Supervisors

Adopted on: December 12, 2017

Copies: Board of Supervisors, County Attorney & Constitutional Officers



**Agenda**  
**Joint Meeting**  
**Madison County Planning Commission &**  
**Madison County Board of Supervisors**  
**Wednesday, December 6, 2017 at 7:00 P. M.**  
**County Administration Building Auditorium**  
**414 N. Main Street, Madison, Virginia 22727**



**Planning Commission**

Call to Order

***Pledge of Allegiance & Moment of Silence***

1. Determine Presence of a Quorum
2. Approval of Minutes
3. Action Items:

*64-10, 64-6, 64-6A & 64-6E a. Case No. S-12-17-24: Request by George E. Walrond; Walrond Family Trust; Richard W. Walrond, IV & Veronica Mederois Walrond; and Ruth W. Sisman for a subdivision plat showing a new 50-foot access easement at the end of state maintenance on Route 712 (Buggy Lane) and three (3) boundary adjustments. The 50-foot right-of-way will serve tax map numbers 64-10 (George W. Walrond), 64-6 (Walrond Family Trust), 64-6A (Richard W. Walrond, IV & Veronica Mederois Walrond) and 64-6E (Ruth W. Sisman). These properties are located off Route 712 (Buggy Lane) near Uno, zoned A-1.*

*40-77 b. Case No. Z-12-17-25: Request by W. J. Carpenter Co., Inc. for a rezoning application to delete the proffers that were attached to the Conditional Rezoning approved on May 4, 2011. If approved, there would be no proffers attached to this application, it would be straight Business, B-1 zoning. This property is located at 2858 N. Seminole Trail (Route 29 Northbound Lane) and contains 11.489 acres of land at Brightwood, zoned Conditional Business, B-1.*

4. Public Hearing on 2017 Comprehensive Plan.
5. Adjournment

**Board of Supervisors**

Call to Order



1. Determine Presence of a Quorum
2. Adoption of Agenda

3. Action Items:

64-10, 64-6, 64-6A, 64-6E    *a. Case No. S-12-17-24: Request by George E. Walrond; Walrond Family Trust; Richard W. Walrond, IV & Veronica Mederois Walrond; and Ruth W. Sisman for a subdivision plat .....*

40-77                                      *b. Case No. Z-12-17-25: Request by W. J. Carpenter Co., Inc. for a rezoning.....*

4. *Public Hearing on 2017 Comprehensive Plan.*

5. *Information/Correspondence (if any)*
6. *Closed Session (if necessary)*
7. *Adjournment*